

IDAHO BOARD OF CHIROPRACTIC PHYSICIANS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 1/8/2021

BOARD MEMBERS PRESENT: Herbert W Oliver, D.C. - Chair
Cathy Hart
Lynn A Hansen, D.C.
Shannon Gaertner-Ewing, D.C.
Craig J Manning, D.C.

DIVISION STAFF: Russell Barron, Division Administrator
Dawn Hall, Section Chief
Lori Peel, Investigative Unit Manager
Nicholas Crema, General Counsel
Eric Nelson, Board Prosecutor
Greg Floyd, Financial Unit Manager
Debbie Toncray, Board Specialist
Cesley Metcalfe, Team Lead

OTHERS PRESENT: Caroline Merritt, Idaho Association of
Chiropractic Physicians

The meeting was called to order at 9:00 AM MST by Herbert W Oliver, DC.

APPROVAL OF MINUTES

Dr. Gaertner-Ewing made a motion to approve the minutes of 10/16/2020 and 11/6/2020. It was seconded by Dr. Manning. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

EXECUTIVE SESSION

Ms. Hart made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Dr. Gaertner-Ewing. The vote was: Dr. Oliver, aye; Ms. Hart, aye; Dr. Hansen, aye; Dr. Gaertner-Ewing, aye; and Dr. Manning, aye. Motion carried.

Dr. Gaertner-Ewing made a motion to come out of executive session. It was seconded by Ms. Hart. Motion carried.

FOR BOARD DETERMINATION

Dr. Gaertner-Ewing made a motion to approve the Division's recommendation and authorize closure in case number I-CHI-2019-13. It was seconded by Dr. Manning. Motion carried.

Dr. Gaertner-Ewing made a motion to approve the Division's recommendation and authorize closure in case number I-CHI-2019-18 and closure with a warning letter in case number I-CHI-2020-7. It was seconded by Dr. Manning. Motion carried.

LAWS AND RULES

Mr. Barron stated that much of the 2021 legislative session will be conducted virtually. The Board will be apprised of any items that come forth that will affect the Board.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of (\$47,413.77) as of November 30, 2020.

DIVISION BUSINESS

The Board reviewed the To Do List and no action was taken.

BOARD BUSINESS

APPLICATION REVIEW PROCESS

The Board reviewed its current application approval process and discussed options for new efficiencies in the application approval process. Dr. Gaertner-Ewing made a motion to allow complete endorsement applications with no felony or discipline history to be approved by a designated board member in between meetings. It was seconded by Dr. Manning. Motion carried.

PUBLIC COMMENT

The Board recognized Caroline Merritt from the Idaho Association of Chiropractic Physicians (IACP). Ms. Merritt stated that the IACP has scheduled a one-hour lunch presentation during the conference for designated Board members to discuss the laws and rules of the Idaho Board of Chiropractic Physicians.

FEDERATION OF CHIROPRACTIC LICENSING BOARDS ANNUAL DUES

The Board reviewed the request for payment of the Federation of Chiropractic Licensing Boards' (FCLB) 2021 dues. Dr. Gaertner-Ewing made a motion to authorize payment of the FCLB dues. It was seconded by Dr. Manning. Motion carried.

CORRESPONDENCE

The Board reviewed the invitation from the National Board of Chiropractic Examiners (NBCE) regarding Board member participation in the May and November 2021 Part IV Examination process, and the June 2021 Part IV Test Committee. The Board directed Division staff to respond to the NBCE providing authorization for Dr. Manning to attend the May Part IV Examination; for Dr. Hanson to attend the June Part IV Test Committee; and for Dr. Manning or Dr. Hanson to attend the November Part IV Examination. All expenses will be paid by NBCE.

REVIEW DRAFT OF REVISED APPLICATION

The Board reviewed a draft copy of the revised chiropractor application. Dr. Manning made a motion to approve the application with changes that were discussed and to authorize the Division to post the revised application to the Board's website. It was seconded by Dr. Gaertner-Ewing. Motion carried.

CORRESPONDENCE

The Board reviewed a request from the National Board of Chiropractic Examiners (NBCE) to designate a delegate and an alternate delegate to represent the Idaho Board of Chiropractic Physicians at the 2021 Annual Business Meeting of State Delegates. Dr. Hanson made a motion naming Dr. Gaertner-Ewing as the delegate for the Board. It was seconded by Dr. Manning. Motion carried.

APPLICATIONS

Dr. Gaertner-Ewing made a motion to approve the following for licensure:

DCA-2091 Charisse Desmarais
DCA-2092 Ronald Desmarais

It was seconded by Dr. Manning. Motion carried.

NEXT MEETING was scheduled for March 26, 2021 at 9:00 AM MDT.

ADJOURNMENT

Dr. Manning made a motion to adjourn the meeting at 10:41 AM MST. It was seconded by Ms. Hart. Motion carried.

Herbert W Oliver, D.C., Chair